

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: Branched Polymers Containing Imidazole Groups and the Production and Use Thereof

The specification of which

a. ☒ is attached hereto.

b. _____ was filed on _____ as application serial no. _____ and was amended on _____ (if applicable) (in the case of a PCT-filed application) described and claimed in international no. _____ filed _____ and as amended on _____ (if any), which I have reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (attached hereto).

I hereby claim foreign priority benefits under Title 35, United States Code, §119/365 of any foreign application(s) for patent of inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

a. ☐ no such claim for priority is being made at this time.

b. ☒ such applications have been filed as follows:

FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC § 119

COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)
DE	199 41 031.3	28. August 1999	

ALL FOREIGN APPLICATIONS, IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)

COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

Our Docket No.:
 Inventor(s):
 Serial No (if assigned):

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I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

US APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS (patented, pending, abandoned)

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Adams, Gregory J.	Reg. No. 44,494	Huebsch, Joseph C.	Reg. No. 42,673	Oh, Allen J.	Reg. No. 42,047
Anglin, J. Michael	Reg. No. 24,916	Jurkovich, Patil J.	Reg. No. 44,813	Padiys, Danny J.	Reg. No. 35,635
Bentley, Dwayne L.	Reg. No. P-45,947	Kalis, Janal M.	Reg. No. 37,650	Parker, J. Kevin	Reg. No. 33,024
Bianchi, Timothy E.	Reg. No. 39,610	Kaufmann, John D.	Reg. No. 24,017	Peacock, Gregg A.	Reg. No. 45,001
Billion, Richard E.	Reg. No. 32,836	Klima-Silberg, Catherine I.	Reg. No. 40,052	Perdok, Monique M.	Reg. No. 42,989
Black, David W.	Reg. No. 42,331	Kluth, Daniel J.	Reg. No. 32,146	Polglaze, Daniel J.	Reg. No. 39,801
Brennan, Leoniede M.	Reg. No. 35,832	Lacy, Rodney L.	Reg. No. 41,136	Prout, William F.	Reg. No. 33,995
Brennan, Thomas F.	Reg. No. 35,075	Leffert, Thomas W.	Reg. No. 40,697	Schumm, Sherry W.	Reg. No. 39,422
Brooks, Edward J., III	Reg. No. 40,925	Lemaire, Charles A.	Reg. No. 36,198	Schwegman, Micheal L.	Reg. No. 25,816
Chu, Dinh C.P.	Reg. No. 41,676	Litman, Mark A.	Reg. No. 26,390	Shaw, Stephen H.	Reg. No. P-45,404
Clark, Barbara J.	Reg. No. 38,107	Lundberg, Steven W.	Reg. No. 30,568	Slifer, Russell D.	Reg. No. 39,838
Dahl, John M.	Reg. No. 44,639	Mack, Lisa K.	Reg. No. 42,825	Smith, Michael G.	Reg. No. P-45,368
Drake, Eduardo E.	Reg. No. 40,594	Maki, Peter C.	Reg. No. 42,832	Speier, Gary J.	Reg. No. P-45,458
Eliseeva, Maria M.	Reg. No. 43,328	Malen, Peter L.	Reg. No. 44,894	Steffey, Charles E.	Reg. No. 25,179
Emlyngton, Janet E.	Reg. No. 39,665	Mates, Robert E.	Reg. No. 35,271	Terry, Kathleen R.	Reg. No. 31,884
Fogg, David N.	Reg. No. 35,138	McCrackin, Ann M.	Reg. No. 42,858	Tong, Viet V.	Reg. No. P-45,416
Fuchsacher, Paul J.	Reg. No. 42,546	Nama, Kash	Reg. No. 44,255	Viksnins, Ann S.	Reg. No. 37,748
Folwest, Bradley A.	Reg. No. 30,837	Nelson, Albin J.	Reg. No. 28,650	Woessner, Warren D.	Reg. No. 30,440
Harris, Robert J.	Reg. No. 37,346	Nielsen, Walter W.	Reg. No. 25,539		

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary.

Please direct all correspondence in this case to Schwegman, Lundberg, Woessner & Kluth, P.A. at the address indicated below:
 P.O. Box 2938, Minneapolis, MN 55402
 Telephone No. (612) 339-0331

Our Docket No.:
Inventor(s):
Serial No (if assigned):

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1	Full Name of Inventor	Family Name	First Given Name	Second Given Name
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		Krappe	Udo	--
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Signature of Inventor 1		Signature of Inventor 2		Signature of Inventor 3
<i>Karlheinz Haubenrestel</i>		<i>Ulrich Orth</i>		<i>Dr. Udo Krappe</i>
Date 22. May 2000		Date 23. May 2000		Date 23. May 2000

For Additional Inventors: _ Indicate here and attach sheet with same information, including date and signature.

Inventor(s):

Serial No (if assigned):

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

4	Full Name of Inventor	Family Name Gajewiak	First Given Name Ulrich	Second Given Name ---
	Residence & Citizenship	City 46539 Dinslaken	State or Foreign Country Germany	Country of Citizenship Germany
	Post Office Address	Post Office Address Forststrasse 2	City 46539 Dinslaken	State & ZipCode/Country Germany
5	Full Name of Inventor	Family Name	First Given Name	Second Given Name
	Residence & Citizenship	City	State or Foreign Country	Country of Citizenship
	Post Office Address	Post Office Address	City	State & ZipCode/Country
6	Full Name of Inventor	Family Name	First Given Name	Second Given Name
	Residence & Citizenship	City	State or Foreign Country	Country of Citizenship
	Post Office Address	Post Office Address	City	State & ZipCode/Country
Signature of Inventor 4 <i>Ulrich Gajewiak</i>		Signature of Inventor 5		Signature of Inventor 6
Date <i>22. May 2000</i>		Date		Date

For Additional Inventors: ____ Indicate here and attach sheet with same information, including date and signature.

§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.